APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,500	01/27/2004	David A. Matthews	MFCP.110232	6265

45809 7590 12/27/2007	EXAMINER	
SHOOK, HARDY & BACON L.L.P.	AUGUSTINE, NICHOLAS	
(c/o MICROSOFT CORPORATION)		
INTELLECTUAL PROPERTY DEPARTMENT	ART UNIT	PAPER NUMBER
2555 GRAND BOULEVARD	2179	
KANSAS CITY, MO 64108-2613		

MAIL DATE	DELIVERY MODE
12/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 October 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 3-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 3-33</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>12 October 2007</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

A.   This action is in response to the following communications: Amendment

filed: 10/12/2007. This action is made **Final**.

B.   Claims 1 and 3-33 remains pending.

C.   Drawing objection withdrawn due to amendment.

D.   Rejection under 35 USC 101 is withdrawn due to amendment.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1 and 3-9, 12-20 and 23- are rejected under 35

U.S.C. 102(e) as being anticipated by Santoro et al. (US 6,724,403), herein

referred to as "Santoro".

As claim 1, Santoro teaches a computer-implemented method for controlling tiles

within a sidebar receiving a request to manipulate a selected tile in a sidebar (col.

3, lines 35-41; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51), in response to the

request, determining a current status of the selected tile (co1.8, lines 42-45);

selecting an appropriate rule set based on the identity of the manipulation

requestor (fig. 24; col. 22, lines 1-22), wherein the appropriate manipulation rule

set is one of an application manipulation rule set (col. 15, lines 1-4, that the

application and framework are responsible for managing the grids and tiles; col.

15, lines 42-51) and a user manipulation rule set (col. 7, lines 40-51);

and locating an appropriate manipulation rule within the appropriate rule set

based on the current status of the selected tile and content of the request and

manipulating the selected tile in accordance with the located appropriate

manipulation rule (fig. 12, labels 1204, 1206, 1208, 1210; col. 12, lines 66-67;

col. 13, lines 1-6; co1.11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16).

As claim 3, Santoro further teaches receiving a request from the system user to

add the selected tile to the sidebar and manipulating the selected tile to add the selected

tile to a top of the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-

15, that by using the

As claim 4, Santoro further teaches receiving a request from the application to

add the selected tile to the sidebar and manipulating the tile to add the selected

tile to a bottom portion of the sidebar (fig. 8; col. 11, lines 63-67; col. 12, line 1-

13).

As claim 5, Santoro further teaches providing a user notification to instruct the

system user regarding removal of the selected tile (col. 13, lines 1-6; fig. 14; col.

14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird

Wizard; col. 17, lines 4-14).

As claim 6, Santoro further teaches receiving an application request to show the

selected tile, determining the status as hidden, and manipulating the selected tile

to reveal the selected tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16,

that the message "New Mail" is hidden, and when the application receives a new

mail the selected tiles reveals "New Mail").

As claim 7, Santoro further teaches receiving an application request to hide the

selected tile, determining the status as visible, and manipulating the selected tile

to hide the selected tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16,

that the message "New Mail" is visible, and when the application receives input

the mail item has been read, it returns to the default setting).

As claim 8, Santoro further teaches receiving a user request to remove the

selected tile and manipulating the tile by banning the selected tile from the

sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by

using the "drag and drop" removes the selecteed tiles out of the Gird Wizard and

essentially banning it from being displayed; col. 17, lines 4-14).

As claim 9, Santoro further teaches receiving an application request to Show the

selected tile, determining the current status of the selected tile as banned, and

refusing to show the tile based on the appropriate rule sidebar (col. 3, lines 35-

41; col. 13, lines 1-6; fig. 14; col.14, lines 4-15, that by using the "drag and drop"

removes the tiles out of the Gird Wizard and essentially banning it from being

displayed; col. 17, lines 4-14).

As claim 12, Santoro further teaches providing a blank space to indicate one of

a newly installed and a banned tile (fig. 25, labels 2512, 2522, 2524, 2526; col.

22, lines 21-41 and 51-63, that the tile is blank when the grid is rendered prior to

requesting the data stream).

As claim 13, Santoro teaches a system for controlling tiles within a sidebar when

a manipulation request is made by a system user or by an application to

manipulate a selected tile (; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51; col. 23,

lines 61-67), the system comprising: an input module to receiving the

manipulation request; a status determination module configured to indicate for

indicating a current status of the selected tile (col. 8, lines 42-45; col. 22, lines

57-67); one or more user manipulation rules for defining an appropriate

disposition of the selected tile based on the current status of the selected tile (fig.

24; col. 3~ lines 35-41; col. 22, lines 1-22) when the manipulation request

originates from the system user (col. 3, lines 35-41; col. 15, lines 1-4, that the

application and framework are responsible for managing the grids and tiles (col.

15, lines 42-51); one or more application manipulation rules defining an

disposition of the selected tile based on the current status of the selected tile

when the manipulation request originates from the application (fig. 5, label 510;

fig. 12, labels 1204, 1206, 1208, 1210; col. 3, lines 35-41; col. 10, lines 4-6; col.

12, lines 66-67; col. 13, lines 1-6; co1.11, lines 39-41; fig. 4, labels 408, 410; col.

9, lines 11-16); and one or more manipulation tools (fig. 14; col. 7, lines 11-15;

col. 13, lines 54-61) configured to manipulate the selected tile in accordance with

one of the user manipulation rules and the application manipulation rules (fig. 4,

labels 408,410; col. 3, lines 35-41 ; col. 9, lines 11- 16).

As claim 14, Santoro further teaches the user manipulation rules provide for

adding the selected tile to be added to a top portion of the sidebar upon receiving

the manipulation request from the system user (col.3, lines 35-41; col. 13, lines

1-6; fig. 14; col. 14, lines 4-15, that by using the ."drag and drop" adds the tiles

on to the Gird Wizard; "profiles").

As claim 15, Santoro further teaches the application manipulation rules provide

for adding the selected tile to a bottom portion of the sidebar upon receiving the

manipulation request from the application(fig. 8; col. 11, lines 63-67; col. 12, line

1-13).

As claim 16, Santoro further teaches the application manipulation rules further

require providing a user notification to instruct the user regarding removal of the

selected tile (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that

"drag and drop" the tiles removes the tiles out of the Gird Wizard; col. 17, lines 4-

14).

As claim 17, Santoro further teaches the application manipulation rules provide

for showing the selected tile Upon receiving an application request after

determining the current tile status as hidden (fig. 4, label 408; col. 3, lines 35-41;

col. 9, lines 11-16, that the message "New Mail" is hidden, and when the

application receives a new mail the selected tiles reveals "New Mail").

As claim 18, Santoro further teaches the application manipulation rules provide

for hiding the selected tile upon receiving an application request and determining

the current tile status as visible (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines

11-16, that the message "New Mail" is visible, and when the application receives

input the mail item has been read, it returns to the default setting).

As claim 19, Santoro further teaches the user manipulation rules provide for

banning the selected tile from the sidebar upon receiving a user request (col. 3,

lines 35-41; col. 131 lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the

tiles removes the tiles out of the Gird Wizard and essentially banning it from

being displayed; col. 17, lines 4-14).

As claim 20, Santoro further teaches the application manipulation rules, upon

determining the current tile status as banned, require refusal to show the

selected tile upon receiving an application request (col. 3, lines 35-41; col. 13,

lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the

tiles Out of the Gird Wizard and essentially banning it from being displayed; col.

17, lines 4-14).

As claim 23, Santoro further teaches the user interface option menu includes a

blank status indicator to indicate one of a newly installed and a banned tile (fig.

25, labels 2512, 2522, 2524, 2526; col. 3, lines 35-41 ; col. 22, lines 51-63, that

the tile is blank when the grid is rendered prior to requesting the data stream).

As claim 24, Santoro teaches a method for controlling a selected tile within a

sidebar upon receiving an application request for manipulation of the selected tile

(; col. 3, lines 25-41; col. 4, lines 34-41 ;fig. 1, col. 6, lines 39-51), the method

comprising: receiving the application request from manipulation of the selected

tile; determining a current status of the selected tile in response to the application

request (col. 8, lines 42-45); selecting an appropriate tile manipulation rule for the

application based on the current status of the tile (fig. 24; col. 22, lines 1-22; fig.

12, labels 1204, 1206, 1208, 1210; col. 3, lines 35-41; col. 12, lines 66-67; col.

13, lines 1-6; co1.11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16); and

manipulating the tile in accordance with the selected tile manipulation rule (col.

7,lines 40-51 ; col. 15, lines 1-4, that the application and framework are

responsible for managing the grids and tiles; col. 15, lines 42-51).

As claim 25, Santoro further teaches determining the current status as banned

and selecting the appropriate tile manipulation rule that refuses entry of the

selected tile in the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14,

lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird Wizard

and essentially banning it from being displayed; col. 17, lines 4-14).

As claim 26, Santoro further teaches determining the current status as hidden

and selecting the appropriate tile manipulation rule that allows the application to

reveal the hidden tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that

the message "New Mail" is hidden, and when the application receives a new mail

the selected tiles reveals "New Mail").

As claim 27, Santoro further teaches determining the current status as newly

installed and selecting the appropriate tile manipulation rule that allows entry of

the selected tile at a bottom portion of the sidebar (fig. 8; col. 3, lines 35-41; col.

11, lines 63-67; col. 12, line 1-13).

As claim 28, Santoro further teaches providing a user notification allowing the

user to remove the selected tile (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col.

14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird

Wizard; col. 17, lines 4-14).

As claim 29, Santoro further teaches determining the current status as visible

and selecting the appropriate tile manipulation rule that allows the application to

render the tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the

message "New Mail" is visible, and when the application receives input the mail

item has been read, it returns to the default setting).

As claim 30, Santoro teaches a method for controlling a selected tile within a

sidebar (; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51) based on user

preferences (fig. 24, label 2406; col. 22, lines 1-21; fig. 26, labels 2600, 2604;

col. 23,lines 1-12), the method comprising: receiving a manipulation request from

a user; removing the selected tile from the sidebar upon receiving the user

manipulation request tile (col. 13,lines 1-6; fig. 14; col. 14, lines 4-15, that by

using the "drag and drop" removes the tiles out of the Gird Wizard; col. 17, lines

4-14); refusing a subsequent request from an application to insert the selected

tile into the sidebar (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the

"drag and drop" removes the tiles out of the Gird Wizard and essentially banning

it from being displayed; col. 17, lines 4-14); and granting a subsequent request

from the user to insert the selected tile into the sidebar (col. 13, lines 1-6; fig. 14;

col. 14, lines 4-15, that by using the '.'drag and drop" adds the tiles on to the Gird

Wizard, which in turn will display content referenced by the URL).

As claim 31, Santoro teaches a computer-readable medium storing computer

executable instructions for performing the method of claim 30 (col. 4, lines 55-67;

col. 5, lines 1-16; fig. 2, label 112; col. 6, lines 60-67).

As claim 32, Santoro teaches a method for providing a user with control of the positioning of a selected tile within a sidebar based on user manipulation rules and application manipulation rules (; col. 3, lines 35-41; col. 4, lines 34-41 ;fig. 1, col.6, lines 39-51), the method comprising:

inserting the selected tile in a preferred sidebar position in response to a user request to insert the selected tile (fig. 9; col. 12, lines 13-19; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" adds the tiles any where the user selects on to the Gird Wizard); inserting the selected tile in less preferred sidebar position in response to an application request to insert the selected tile (col. 3, lines 35-41, that by setting the parameters allowing the user to control the aspects of the screen display); and allowing a user to preemptively prevent an application from inserting the selected tile in the sidebar (col. 3, lines 35-41, that by setting the parameters allowing the user to control the aspects of the screen display).

As claim 33, Santoro further teaches computer-readable medium storing computer executable instructions for the method of claim 32 (col. 4, lines 55-67; col. 5,lines 1-13; fig. 2, label 112; col. 6, lines 60-67).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the

basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   This application currently names joint inventors. In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

5.   Claims 10-11 and 21-22 rejected under 35 U.S.C. 103(a) as being

unpatentable over Santoro in view of Oran et al. (US 5,920,316), hereinafter

"Oran".

As claims 10 and 21, Santoro does not teach providing a user interface option

menu for revealing the current tile status to the system user. However, Oran

teaches providing a user interface option menu for revealing the current tile

status to the system user (fig. 14, label 74; col. 8, lines 49-67; col. 9, lines 1-

11; col. 11, lines 56-67). Therefore, it would have been obvious to one ordinary

skill in the art the time the invention to modify Santoro by providing a user

interface option menu for revealing the current tile status to the system user as
taught by Oran in order to enhanced monitoring of the system or content
available from multiple sources.

As claims 11 and 22, Santoro does not teach providing a check mark to indicate
a visible tile. However, Oran teaches providing a check mark to indicate a visible
tile (fig. 15B, label 90; col. 9, lines 1-30). Therefore, it would have been obvious
to one ordinary skill in the art the time the invention to modify Santoro by teach
providing a check mark to indicate a visible tile as taught by Oran in order to easy
to use interface for display selection by using check/uncheck boxes.

(Note :) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art
references and any interpretation of the references should not be considered to be limiting in any way. A
reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to
one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983)
(quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments filed 10/12/2007 have been fully considered but
they are not persuasive.

A1.   Applicant argues that Santoro does not teach selecting a
manipulation rule set based on an identity of the requester.

R1.   Examiner does not agree. Santoro teaches the use of profiles
within the system which would yield the predictable result of profile specific grid

layouts as disclosed throughout the entire teachings of Santoro (col.13, lines 64-67; col.22, lines 1-21; col.23, lines 1-12).

A2.   Applicant argues that Santoro does not teach manipulation of a tile based on a current status of a selected tile and a content of the manipulation request.

R2.   Examiner does not agree. Santoro strongly teaches how tiles are manipulated based on context and the context status, for example (one tile is directed to a mail box wherein new mail comes in and the tile is manipulated to render to the screen to convey to the user of the system that new mail is available; another tile shows an active instant messaging application running which is updated frequently to render a manipulation to the display device such that conveying to the user various status changes among the applications; other examples are throughout the entire teachings of Santoro (col.8, lines 42-56; col.11, lines 33-45); Also figures 4 and 9 show how one grid can be sized differently from other grids.

A3.   Applicant argues that Santoro does not teach when a manipulation request originates from a system user and application manipulation rules used when a manipulation request originates from an application.

R3.   Examiner does not agree, please note arguments A1 and A2 above in that Santoro teaches user profiles and application manipulation by application

status changes that render different renderings of a tile pending on the status of

the context information of the application currently represented by a tile.

A4.   Applicant argues that Santoro does not teach removing tiles from

being displayed.

R4.   Examiner does not agree. Santoro teaches the removal of a URL

which was the path to all of the content to be conveyed and represented from a

tile on a user's desktop in a system which features an all HTML user customized

grid interface by means of a configuration wizard. Also as stated in the last action

the configuration wizard as known in the art yields the predictable result that the

user can configure the interface how the user sees fit (removal of an element is

a functionality very well known in the art of graphical user interfaces which are

constructed by a wizard (http://en.wikipedia.org/wiki/Wizard_(software))).

Please note It is noted that any citation to specific, pages, columns, lines,

or figures in the prior art references and any interpretation of the references

should not be considered to be limiting in any way. A reference is relevant for all

it contains and may be relied upon for all that it would have reasonably

suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331,

1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397

F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.
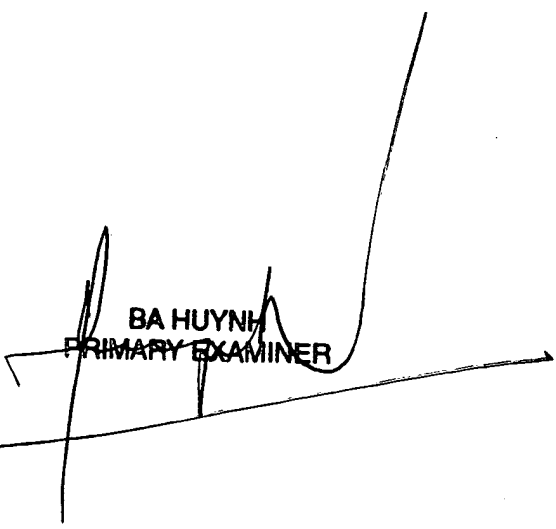
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N. Augustine
December 20, 2007

Nicholas Augustine
Examiner
AU: 2179

BA HUYNH
PRIMARY EXAMINER